IN RE: PETITION FOR SPECIAL HEARING
W/S Dark Hollow Road, 700 ft. N
Of Old Quarter Road
15914A Dark Hollow Road
5th Election District
3rd Councilmanic District
Deborah Gay Mueck, Petitioner

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 99-269-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property known as 15914A Dark Hollow Road, located in northwestern Baltimore County. The Petition was filed by Deborah Gay Mueck, property owner. Special Hearing relief is requested to approve the construction of a dwelling on the subject property, which will contain an apartment for the Petitioner's daughter. The subject property and requested relief are more particularly shown on the site plan marked into evidence as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were Deborah Mueck, property owner, Lauren Mueck, her daughter, and Roy Snyder, the surveyor who prepared the site plan. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property was originally part of a larger tract owned by Mrs. Mueck's parents. Previously, that parcel was subdivided into four lots which were bequeathed to the Mueck children. Two of these conveyances were non-density transfers in accordance with relief granted in case 90-76-SPH, by then Zoning Commissioner J. Robert Haines, on November 7, 1989. Specifically, Mrs. Mueck's brother, Frank Phillips acquired a portion of the family property which was added to his existing lot and Mrs. Mueck's sister, Carol Lynn Osbourne, acquired a portion of the Mueck family lot which was added to her existing lot. Mrs. Mueck and her brother, Howard Edward Phillips, acquired the remaining two buildable lots from the Mueck family subdivision. Mr. Phillips' lot contains an existing 1-1/2 story frame house. Pursuant to the Baltimore County Zoning Regulations (BCZR), the property now owned by the Petitioner may be developed.

As to the Petitioner's property, same is 7.322 acres in area, zoned R.C.2. The property



is roughly rectangular in shape, presently unimproved, and enjoys vehicular access by way of a driveway from Dark Hollow Road. The Petitioner proposes constructing a single family dwelling thereon, as more particularly shown on the site plan.

The Petitioner indicated that she desires to include an attached apartment unit to the proposed dwelling. The apartment unit will be used by the Petitioner's daughter, Lauren Mueck. The apartment unit will have an exterior entrance and be served by its own utilities (e.g., electric and telephone). However, the apartment will be part of the dwelling and will be connected thereto.

The Petitioner indicated that the daughter's apartment is requested so as to provide the daughter with a private place to live, yet near her family. Mrs. Mueck also indicated that, as she ages, she and the daughter may actually switch living quarters so that she assumes the smaller apartment unit and her daughter resides in the larger area of the dwelling.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. In my judgment, the "in-law" apartment, which is requested in this case, is appropriate. I carefully explained to the Petitioner at the hearing that the apartment can only be used by a family member and cannot be rented. The Petitioner indicated that she understood and appreciated that restriction in the BCZR and would not object to a condition noting same within the Order.

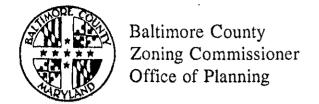
Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 25 day of February 1999, that the Petition for Special Hearing to approve the construction of a dwelling on the subject property which would contain a daughter's apartment, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30 day appellate process from this Order has expired.

2. The apartment unit can only be used by a member of the Mueck family and cannot be utilized as an independent unit or rented.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 24, 1999

Mrs. Deborah Gay Mueck 611 Streaker Road Sykesville, Maryland 21784

RE: Petition for Special Hearing

Case No. 99-269-SPH

Property: 15914A Dark Hollow Road

Dear Mrs. Mueck:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn Encl.



Revised 9/5/95

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

#15914A Dark Hollow Road
which is presently zoned RC 2

This Polition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

The Construction of a dwelling which would contain a daughter apartment.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			minior county adopted paradiate to the Louing Law for Bullimore County.
			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(a) of the property which is the subject of this Petition
Contract Purchaser/Lessee:			Legal Owner(s):
(Type or Print Name)			Deborah Gay Mueck
Signature		and the second s	(signature Musch
Address			(Type or Print Name)
City	State	Zipcode	Signature
Attorney for Petitioner			611 Streaker Rd. 410 795 7715 Address Phone No
(Type or Print Name)			Sykesville MD 21784 . City State State Zipcode Name, Address and phone number of representative to be contacted
Bignature			Roy Snyder
Address .	Phon e	No.	1911 Hanover Pike Hampstead, MD 21074 Address Phone No 410 239 7744
City	State	Zipcode	ESTIMATED LENGTH OF HEARING unavailable for Hearing
			ALL OTHER Next Two Months
ЬZ			REVIEWED BY: DATE 1-19-99

A. L. Snyder

Surveyor, Inc.

1911 Hanover Pike

Hampstead, Maryland 21074

(410) 239-7744

Zoning Description

(410) 374-9695

#15914A Dark Hollow Road

Beginning at a point in the center of Dark Hollow Road at a distance of 700 feet, more or less, north of Old Quarter Road; thence the following courses,

- 1.) N 66° 40' 54" W 246.05 feet; thence,
- 2.) S 38° 47' 06" W 124.50 feet; thence,
- 3.) S 37° 46' 04" W 326.00 feet; thence,
- 4.) S 36° 24' 47" W 263.70 feet; thence,
- 5.) N 51° 36' 13" W 502.67 feet; thence,
- 6.) N 37° 06' 34" E 548.00 feet; thence,
- 7.) S 69° 50' 36" E 450.00 feet; thence,
- 8.) S 76° 47' 58" E 83.77 feet; thence,
- 9.) S 66° 40' 54" E 241.32 feet; thence,
- 10.) S 12° 12' 06" W 10.19 feet to the point of beginning.

Containing 7.322 acres of land, more or less.

Being all those two parcels of land conveyed by James A. Cover and Dorothy Cover to Deborah Gay Mueck, by deed dated May 31, 1991 and recorded among the Land Records of Baltimore County, Maryland in Liber S.M. 9015 folio 268 etc. Also known as #15914A Dark Hollow Road and located in the Fifth Election District of Baltimore County, Maryland.

OF THE STATE OF TH

269

MEMBER: Md. Soc. of Surveyors • W. Va. Assoc. of Land Surveyors • A.C.S.M.

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Tow-son, Maryland on the property dentified herein as follows:

Case: #99:269-SPH
15914A Dark Hollow Road
W/S Dark Hollow Road, 700'
N of Old Quarter Road
5th Election District
Legal Owner(s):
Deborah Gay Mueck
Special Hearing: for a family
apartment
Hearing: Tuesday, February
22, 1996 at 2:00 p.m. In
Room 106, County Office
Building: 711 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County
NOTES: (1) Hearings are
Handicaped Accessible; for
special accommodations
Please contact the Zoning
Commissioner's Office at
410-887-4386.
(2) For information concerning the File and/or- Hearing.
Contact the Zoning Review Office at 410-887-3391;
2/071 Feb. 4 C288501

CERTIFICATE OF PUBLICATION

TOWSON, MD., 24, 1999
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of successive
weeks, the first publication appearing on 24 , 1999.
THE JEFFERSONIAN,
a. Henrelson LEGAL AD TOWSON
LEGAL AD 1040001

BALTIMORE COUNTY, MARYL D OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT No. 962352	[] / [] 1 1 7 7 7
DATE 1599 ACCOUNT F. DOI 6150	AND LOOS CASHTER LSNI LXS DRAW R S S MISCELLANDUS CASH RECKIPT Receipt # 091397 RFT CR NO. 062352 SO.00 CHECK Haltimore County, Maryland
FOR: Resident of Special Hearing Aling the 11/3914 A Dark Hollow Kd	
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

CERTIFICATE OF POSTING

99-269-X Petitioner Developer D.G. MUERK JETAL LISNYDER, LIS. Date of Hearing Closing 2/23/99

Baltimore County Department of Permits and Development Management County Office Builden, Room 111 111 West Chesapease Avenue Towson, MD 21204

Attention Ms. Gwendolyn Stephens

Ladies and Gentlemen

This letter is to certify under the penalties of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periury that the necessary sign(s) required by 'approximation of periured by 'approxima were posted conspicaously on the property located at # 15914-A. Dark Hollow Road.

The sign(s) were posted on



Sincerely,

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE (Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD, 21030 (City, State, Zip Code)

410-666:5366 | CELL-410 905-8571 (Telephone Number)



Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABL	ON, D	IRECTOR			
For newspaper advertising:					
Item No.: 269					
Petitioner: DEBORAH GAY MUECK					
Location: 15914 A DARK HOLLOW ROAD					
PLEASE FORWARD ADVERTISING BILL TO:					
NAME: DEBORAH GAY MUECK					
ADDRESS: 611 STREAKER POND					
SYKLESVILLE, MARXLAND 21784					
PHONE NUMBER: 410.795.7715					

AJ:ggs

(Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than ______.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-269-5PH

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

LACE:	
ATE AND TIME:_	
EQUEST: A S	pecial Hearing to allow construction of which would contain a (daughter)
dwelling	which would contain a (daughter)
Partner	
· · · · · · · · · · · · · · · · · · ·	
OSTBONIEMENTS I	DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

TO CONFIRM HEARING CALL 887-3391.

HANDICAPPED ACCESSIBLE

TO:

PATUXENT PUBLISHING COMPANY

February 4, 1999 Issue - Jeffersonian

Please forward billing to:

Deborah Gay Mueck 611 Streaker Road

410-795-7715

Sykesville, MD 21784

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson. Maryland on the property identified herein as follows:

CASE NUMBER: 99-269-SPH 15914A Dark Hollow Road

W/S Dark Hollow Road, 700' N of Old Quarter Road

5th Election District – 3rd Councilmanic District

Legal Owner: Deborah Gav Mueck

Special Hearing for a family apartment.

HEARING:

Tuesday, February 23, 1999 at 2:00 p.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

56

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE: FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

> (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

January 28, 1999

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-269-SPH
15914A Dark Hollow Road
W/S Dark Hollow Road, 700' N of Old Quarter Road
5th Election District – 3rd Councilmanic District
Legal Owner: Deborah Gay Mueck

Special Hearing for a family apartment.

HEARING: Tuesday, February 23, 1999 at 2:00 p.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

200 Sollow

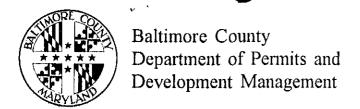
Arnold Jablon Director

c: Deborah Mueck Roy Snyder

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FEBRUARY 8, 1999.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 18, 1999

Mr. Roy Snyder 1911 Hanover Pike Hampstead, MD 21074

RE: Item No.: 269

Case No.: 99-269-SPH

Location: 15914A Dark Hollow Road

Dear Mr. Snyder:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 19, 1999.

The Advisory (ZAC), Zoning Committee which consists representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: 4-8-97

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager RANGE Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 2/1/99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

271

272

273

274

275

27/0

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: February 2, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

reffrey W Long

Item No (s): 262, 265, 268, 269, 274, and 276

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.26.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 269 115

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Dolle

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

My telephone number is _____



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

January 28, 1999

Arnold Jablen, Director Zoming Administration and Development Management Baltimers County Office Building Towson, MD 31204 MAIL STOD 1105

RE: Property Owner: SEE BELOW

Location: Distribution MEETING OF February 1, 1999

Itam No.: See Below Zening Agenda:

Bentlemen:

Pursuant to your request, the referenced property has been arvoyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time, in REPERENCE TO THE FOLLOWING ITEM NUMBERS:

263, (269) 270, 271, 272, 273, 274, 275, 276, and 277

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marchal Office, PHONE 887-4881, MS-1102F

dd: Fills

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 10, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 8, 1999 Item Nos. 268, 269) 274, 276, and 277

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

				AL HEAR	ING		*	BEFORE	THE		
15914A Dark Hollow Road, W/S Dark Hollow Rd, 700' N of Old Quarter Rd, 5th Election District, 3rd Councilmanic Legal Owners: Deborah G. Mueck						*	ZONING	COMN	MISSIONE	R	
						*	FOR				
					*	BALTIM	ORE C	OUNTY			
	Petition	ner(s)									
							*	Case Nun	iber: 9	9-269-SPH	[
	ala	.4.	44.			at.		 494			

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMÈRMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

Deputy People's Counsel Old Courthouse, Room 47

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27 day of January, 1999, a copy of the foregoing Entry of Appearance was mailed to Roy Snyder, 1911 Hanover Pike, Hampstead, MD 21074, representative for Petitioner(s).

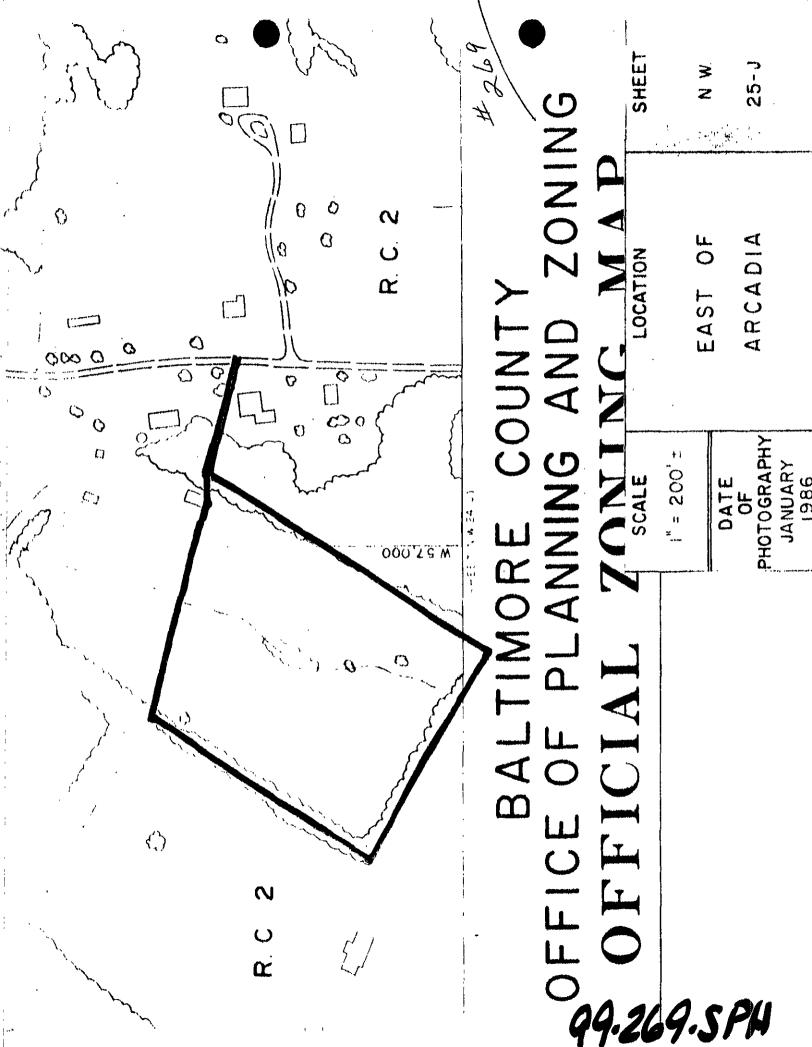
PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

Petitionen's DROTTER (S) SIGN-IN SHEET

ADDRESS

MARATA	NUNCOS
Rox Snyden	1911 Hanaca Petre Haysted 21
Deborah Mueck	611 Streaker Rd Sykesuille 217
Lauren Mucck	1911 Hanace Rine Hampsted 211 611 Streaker Rd Sykesuille 217 7575 Rt 94 Wadbine, MD 2179



HOLLOW FLAN TO ACCOMPANY

99-269-SPH



A. IL. SNYTOER
SURVEY OR, INC.
1911 HANOV EIR PIKE
HAMPSTEAD... MP. 21074
PHOINE: 415-- 7239:7744

DEMORAT GAY NOMOX O' D'HERAKER MOAD SYKEEVILLE, NO. 01704

DATTE: N.OVEMBER 18, 1919 .

HOLLOW FOR ROA D IIII A RING

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consider the time is after their own risk until saucesh time as the 30-day appellate process from this Order than expired. If, for whattever meson, this Order than reversed, the Petitioners wound be required to setumers, and be responsible for returnalny, said property to itts periginal condition.

 the Petitioners may ampply for their builddling permit and be granted same muspon resceipt sof this Oroders; are condilitions precedent to the smallef great-

HOLLOW DAFK

JOB NO. 9806





A. L. SNYDER
SURVEYOR, INC.
1911 HANOVER PIKE
HAMPSTEAD, MD. 21074
PHONE: 410-239.7744

DEMORAT GAY NOMOR

DATE: NOVEMBER 18, 1999

PLAN 10 ACCOMPANY PETITION FOR ROAD





3) When applying for a building permit, the site plan and lanecaping plan filed must reference this case and set forth and address the restrictions of this Order.

coneding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its exiginal condition.

HOUSE.

\$33000 S

DARK

18 HOU

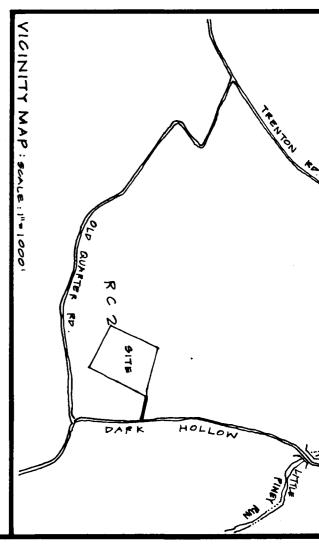
RK NOLLOW

property to two building lots in an R.C. 2 so DENEED by the Zoning Commissioner for Heltimore

大學語

RD

- R.O.2 (B.O. ZONING MAP : NW 25 3)
 CK : 10 FARCEL : 276



DEED NORTH

HEARING